

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AMERICAN CIVIL LIBERTIES UNION, et al.	:	CIVIL ACTION
	:	
v.	:	NO. 98-5591
	:	
ERIC H. HOLDER, JR., in his official capacity	:	
as Attorney General of the United States	:	

**ORDER**

**AND NOW**, this 30th day of April, 2009, upon consideration of the motion for costs, fees, and expenses filed by plaintiffs, (Doc. No. 441), the court finds that the motion is, in fact, not a proper motion but a notice that plaintiffs will move for fees at a future time. A notice of motion, such as this, is not contemplated under this court's local rules. See Loc. R. Civ. P. 7.1.

As a result, it is hereby **ORDERED** that the motion is **DENIED without prejudice** and the following briefing schedule will be adhered to by the parties:

- (1) Pursuant to Loc. R. Civ. P. 7.1., plaintiffs shall file their motion, including necessary certifications, for costs, fees and expenses, along with their supporting brief by **July 1, 2009**;
- (2) Defendant's response and brief in opposition thereto shall be filed by **September 1, 2009**; and
- (3) Plaintiff's reply brief thereto (if any) shall be filed by **October 1, 2009**.

It is hereby further **ORDERED** that the parties shall meet and discuss a stipulation as to all or part of the facts or claims and shall submit such stipulation to the court in chambers by **October 20, 2009** along with the parties' proposal for a hearing date for submissions of evidence and oral argument.

S/ Lowell A. Reed, Jr  
\_\_\_\_\_  
LOWELL A. REED, JR., S.J.